REMARKS

Status of Claims

• Claims 1, 4-7, 9, 12-15, 17, and 20-23 remain pending in this application, and have been amended.

• Claims 1, 7, 9, 15, 17, and 23 are in independent form.

• Claims 2, 3, 8, 10, 11, 16, 18, 19, and 24 have been canceled without prejudice or disclaimer of subject matter.

Statement of Substance of Interview

This Statement is being filed in response to the Examiner's request therefor in the Interview Summary mailed on August 25, 2010. The Examiner's Interview Summary follows the interview between the Examiner and Applicants' undersigned attorney on August 18, 2010.

The Examiner's comments set forth in the Interview Summary are hereby affirmed. During the interview, the Examiner and Applicants' undersigned attorney discussed various options and proposals for substantive amendments to claim 1. The Examiner stated that if claim 1 were amended in accordance with the amendments presented herein, in his view this action would place claim 1 in a very strong position for patentability over the cited references. The Examiner of course noted that he could not give a more firm answer until the amendments were formally presented so that the Examiner could further review the case (including performing an updated search).

The Examiner is thanked for his kind cooperation.

The rejection under 35 U.S.C. § 101

The Office Action rejects claims 17-24 under 35 U.S.C. § 101, for the reasons set forth at paragraph 5 of the Office Action.

First, cancellation of claims 18, 19, and 24 renders the rejections of those claims moot.

The amendments to claims 17 and 20-22 herein are seen to address this rejection, and, accordingly, withdrawal of this rejection is respectfully requested.

The rejections under 35 U.S.C. § 102/103

• Claims 1, 7, 9, 15, 17, and 23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. US 2003/0081595 to Nomura.

• Claims 2, 3, 5, 6, 10, 11, 13, 14, 18, 19, 21, and 22 were rejected under 35 U.S.C. § 103(a) as being obvious from Nomura in view of U.S. Patent Application Publication No. US 2003/0187746 to Kochanski.

• Claims 4, 12, and 20 were rejected under 35 U.S.C. § 103(a) as being obvious from Nomura in view of Kochanski and further in view of U.S. Patent No. 7,082,456 to Mani-Meitav.

• Claims 8, 16, and 24 were rejected under 35 U.S.C. § 103(a) as being obvious from Nomura in view of U.S. Patent Application Publication No. US 2002/0065035 to Koshino.

As noted above, cancellation of claims 18, 19, and 24 renders the rejections of those claims moot.

Applicants submit that independent claims 1, 7, 9, 15, 17, and 23, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

The present invention relates to a method for managing distribution requests for signals including content data. As described in the Background of the present application, distribution of signals including content data such as sounds and movies and the like has been heretofore performed in a network (e.g., a telecommunications network) such as the Internet. In order to distribute content, a signal including an instruction to request to distribute required content is transmitted from a processing device (for example, a computer) through a network to a computer, referred to as a content providing server, storing content data.

In the case of distributing content in a streaming format, the content providing server generally receives distribution requests from a plurality of processing devices. When the distribution requests increase, the load of distribution processing increases. When the load exceeds a predetermined volume, the content providing server cannot process all of the distribution requests. In addition, there is also a limit in the communications network to which the content providing server is connected. Data signal distribution cannot be performed beyond an allowable transmission rate.

The present invention is intended to ameliorate such problems.

Claim 1 is directed to a computer-implemented distribution request management method. The amendments to claim 1 presented herein include (a) amending the setting step to recite, *inter alia*, that the requests are from a mobile communication network performing wireless communication with mobile terminal devices (among other amendments to the setting step); (b) incorporating the subject matter of claims 2 and 3 into claim 1; and (c) adding the receiving step. Some of the notable features of amended claim 1 are highlighted below, as follows.

The method includes setting a maximum number of distributable requests arbitrarily for requests from a mobile communication network performing wireless communication with

mobile terminal devices to one or plural content providing servers provided on another communication network, taking into account an amount of data that is able to be distributed by the mobile communication network, the requests being made for distribution of signals including data of contents.

The method also includes sending the signal distribution requests to the content providing servers as long as a number of the requests is not larger than the maximum number.

Among the notable features of claim 1 are that a reserved number is set arbitrarily to be not larger than the maximum number, and a space for requests for distribution of signals including data of each of one or plural specific contents is held to correspond to the reserved number.

Also among the notable features of claim 1 are that an upper limit reserved number not smaller than the reserved number is set arbitrarily to be not larger than said maximum number for each of the specific contents, and requests for distribution of signals including data of the specific contents, the number of which requests is larger than the reserved number and not larger than the upper limit reserved number, are sent to the content providing servers as long as the number of the signal distribution requests is within a range of a number obtained by subtracting the reserved numbers assigned for the specific contents from the maximum number.

Also among the notable features of claim 1 are receiving data showing a bit rate of the content included in a response to the distribution request and preventing distribution of the signals including data of the content when the data showing the bit rate is out of an arbitrarily defined range.

Applicants submit that the cited references, including Nomura, do not teach or suggest at least the notable features of claim 1 recited above. As noted above, during the telephone

interview the Examiner agreed that if claim 1 were amended in accordance with the amendments presented herein, in his view this action would place claim 1 in a very strong position for patentability over the cited references.

For at least the foregoing reasons, claim 1 is seen to be clearly allowable over the cited references.

Independent claims 9 and 17 each recite features which are similar in many relevant respects to those discussed above in connection with claim 1. Accordingly, claims 9 and 17 are believed to be patentable for at least the same reasons as discussed above in connection with claim 1.

Independent claims 7, 15, and 23 each recite at least some features which are similar in relevant respects to those discussed above in connection with claim 1. Accordingly, claims 7, 15, and 23 are believed to be patentable for at least the same reasons as discussed above in connection with claim 1.

The dependent claims

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Respectfully Submitted

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